

IN THE UNITED STATES PATENT & TRADEMARK OFFICE  
RESPONSE/AMENDMENT

CO 1761



Case Docket No. 7718M

Box Non-Fee Amendment  
ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Dear Sir:

Transmitted herewith is a RESPONSE for the patent application:

Inventor(s): Roger W. Gutwein, et al. Confirmation No: 9656

Serial No.: 09/638,654 Group Art Unit: 1761

Date Filed: August 14, 2000 Examiner: A. Weier

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on January 2, 2002

Erich D. Hemm 47,286  
Name of Attorney/Agent Registration No.  
*E.D. Hemm*  
Signature of Attorney or Agent

Title: NOVEL COFFEE EXTRACT AND PROCESS FOR PROVIDING CUSTOMIZED VARIETIES AND STRENGTHS OF FRESH-BREWED COFFEE ON DEMAND

1. ☒ [X] No additional fee is known to be required.
2. ☐ [ ] The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA*	RATE	FEE
TOTAL	*	MINUS	**	=	x \$18 =	\$
INDEP.	*	MINUS	***	=	x \$80 =	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$270 =	\$
TOTAL						\$

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the highest number of total claims previously paid for is less than 20, write "20" in this space.  
 \*\*\* If the highest number of independent claims previously paid for is less than 3, write "3" in this space.  
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

3. ☒ [X] The Commissioner is hereby petitioned under 37 CFR §1.136(a) to grant any extension of time needed for timely response to the Office Action dated October 1, 2001 in the above-identified application to preserve pendency of said application. The processing fee under 37 CFR §1.17 has been determined as follows: \$400.00 for a 2-month extension of time.
4. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.
  - a. ☒ [x] Any patent application processing fees under 37 CFR §1.16.
  - b. ☒ [x] Any patent application processing fees under 37 CFR §1.17.
5. The Commissioner is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

*E.D. Hemm*

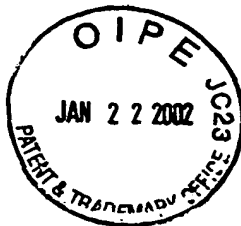
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Date: January 2, 2002  
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Erich D. Henn 47,286  
Name of Attorney Registration No.  
*E. D. Henn*  
Signature of Attorney



Case 7718M

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of :  
ROGER W. GUTWEIN ET AL. : Confirmation No. 9656  
Serial No.: 09/638,654 : Group Art Unit: 1761  
Filed: August 14, 2000 : Examiner: A. Weier  
Title: NOVEL COFFEE EXTRACT AND :  
PROCESS FOR PROVIDING CUSTOMIZED  
VARIETIES AND STRENGTHS OF FRESH-  
BREWED COFFEE ON DEMAND

**RESPONSE TO RESTRICTION REQUIREMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This is in response to the Office Action dated October 1, 2001 in the above-identified patent application. The Examiner is respectfully requested to reconsider the application in view of the following remarks. Applicants hereby traverse the Restriction Requirement made by the Examiner and provisionally elect Claims 8-33, drawn to a process for making a coffee beverage product, for examination in the present application. Applicants reserve the right to file a petition from requirement for restriction pursuant to 37 C.F.R. 1.144.

**REMARKS**

Claims 1-33 are pending in the case. The Examiner requires restriction under 35 U.S.C. §121 to one of two groups of claims identified as follows: